

REMARKS

Claims 9-41 and 47-59 are pending in the application with claims 9, 25-28, 31, 32, 47, and 52 amended herein. Applicants express appreciation for the allowance of claims 56-59 and for the indication of claims 11, 12, 17, 19, 20, 23, 24, 28-30, 32, 34, 36, 39, 41, and 55 as setting forth allowable subject matter.

Claims 9, 10, 13-16, 18, 25-27, 31, 33, 37, 38, 40, and 52-54 stand rejected as being anticipated by Steele. Applicant requests reconsideration.

Claim 9 is amended herein to substantially incorporate the portion of the subject matter of allowable claim 28 pertaining to the first specie layer, without incorporating the portion of the subject matter pertaining to the second specie layer. Applicant asserts that such amendment is sufficient to overcome the rejection of claim 9. Claims 25-28 are amended to harmonize such claims with the claim 9 amendment. Claims 10, 13-16, 18, and 25-27 depend from claim 9 and are not anticipated at least for such reason as well as for the additional limitations of such claims not disclosed.

Claim 31 is amended herein to substantially incorporate the subject matter of allowable claim 32. Claim 32 is amended herein to harmonize such claim with the claim 31 amendment. Applicant asserts that the amendment to claim 31 is sufficient to overcome the present rejection. Claims 33, 37, 38, and 40 depend from claim 31 and are not anticipated at least for such reason as well as for the additional limitations of such claims not disclosed.

Claim 52 is amended herein to set forth, in pertinent part, forming a layer about one monolayer thick of a first chemisorbed precursor. Even though the scope of claim 52 differs from claims 9 and 31 discussed above, it will be appreciated from the allowability of amended claims 9 and 31 that claim 52 now sets forth allowable subject matter. Claims 53

and 54 depend from claim 52 and are not anticipated at least for such reason as well as for the additional limitations of such claims not disclosed.

In keeping with the amendments and assertions herein, claims 9, 10, 13-16, 18, 25-27, 31, 33, 37, 38, 40, and 52-54 are not anticipated and Applicant requests allowance of such claims in the next Office Action.

Claims 21, 22, and 35 stand rejected as being unpatentable over Steele. Applicant requests reconsideration. Claims 21 and 22 depend from claim 9 and claim 35 depends from claim 31. In keeping with the amendments and assertions herein regarding claims 9 and 31, claims 21, 22, and 35 are patentable at least for their dependence from such claims as well for their additional limitations not disclosed or suggested.

Claims 47-51 stand rejected under 35 USC 112, second paragraph, as being indefinite. Applicant requests reconsideration. Applicant notes that original claim 47 sets forth "atomic layer depositing a nucleation substance" which qualifies as at least one positive step required for a method claim. Claim 47 is herein amended inserting a colon after "comprising" and added a line break to begin "atomic layer depositing" on a new line. The amendment made to claim 47 is not for the purpose of narrowing and does not effectively narrow the scope of such claim. Applicant requests withdrawal of the indefiniteness rejection in the next Office Action.


Page 4 of the Office Action states that claim 47 could not be understood in order to establish a rejection over prior art. However, it is apparent that original claim 47 was capable of being understood to form an appropriate conclusion regarding patentability. Applicant asserts that at least the limitation to atomic layer depositing a nucleation substance chemisorbed on a first surface and a second surface of a substrate substantially nonselectively distinguishes claim 47 from the cited art. Even though original claim 11

differs in scope from claim 47, it will be appreciated from the indication of claim 11 as allowable that claim 47 is also allowable since both recite atomic layer deposition. Applicant requests allowance of claims 47-51 in the next Office Action.

At least for the reasons set forth herein, Applicant asserts that all of pending claims 9-41 and 47-59 are in condition for allowance and request such allowance in the next Office Action. Applicant notes that the allowance of claims 56-59 in the Office Action was only indicated on the Office Action Summary. Accordingly, indication of the allowance of claims 56-59 in the main text of the next Office Action is appropriate.

Respectfully submitted,

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